

meeting of Interpol about freedom of information and law enforcement, or leading a team of lawyers in counseling the director of the FBI, Mr. Moschella has always performed his duties with dedication, loyalty, and integrity—the hallmarks of his outstanding career.

Mr. Moschella is a second generation Italian-American, who grew up in the Bronx in New York City. He was the first in his family to complete college and law school and he is a dedicated family man with four sons. He started his Federal service with the intention of doing something good for America—using his skill and talent to make his country a better place for all of us. He is the kind of civil servant of whom all Americans can be proud.

Mr. Speaker, on behalf of the House of Representatives and my constituents in the 11th Congressional District of Virginia, I want to thank Emil Moschella for his exceptional career of public service, congratulate him on this special occasion, and wish him all the best in retirement and all his future endeavors.

# INTRODUCTION OF HOUSE JOINT RESOLUTION 171

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1996

Mr. LANTOS. Mr. Speaker, I have introduced in the House today House Joint Resolution 171 which proposes an amendment to the U.S. Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office. This amendment—when it is approved by the requisite two-thirds majority of each house of the Congress and ratified by the legislatures of three-fourths of the States—clarifies that the Congress has the power to set limits on contributions and expenditures in support of, or in opposition to, any candidate for Federal office. This resolution is identical to one introduced earlier this year in the other body by the distinguished Senator from New Jersey [Mr. BRADLEY].

As a result of the U.S. Supreme Court ruling in 1976 in the case of *Buckley versus Valeo*, restrictions on wealthy individuals using their own money to—in effect—buy a political office have been held to be equivalent to restrictions on free speech. Efforts to restrict the independent expenditures of moneyed special interests for or against a particular candidate have likewise been held to be a restriction on free speech.

Mr. Speaker, my proposed amendment to the Constitution will reverse the ruling of the Supreme Court in *Buckley versus Valeo*. The effect of the Court's decision in that case was to equate money with free speech. The effect of this amendment is to make clear that money is not speech. In the very appropriate words of Senator BRADLEY, "A rich man's wallet does not merit the same protection as a poor man's soapbox."

The time has come, Mr. Speaker, for us to clarify through an amendment to the Constitution that simple possession of money does not mean you have the better argument. Possession of money does not mean you are the better candidate. The time has come for the Congress to have the authority to regulate political expenditures of millionaires—like Ross Perot or Steve Forbes or Michael Huffington in the

political arena. In the case of these three men and others who have enjoyed the blessing of wealth, we applaud their ability to make money, we commend their business acumen, and we are delighted, in some cases, for their good fortune in having wealthy parents. At the same time, however, we do not think that any of those qualities entitles them to special access to the marketplace of ideas.

It is essential for the health and well-being of our democracy that the Congress have the ability to assure a level playing field in elections for Federal offices. The amendment to our Constitution that I am introducing today will assure that Congress can assure a level playing field.

One of the fundamental principles that is the basis of our democratic system of Government and our democratic Nation is the principle of freedom of speech.

The fundamental concept is that if all ideas and all points of view are subjected to the same critical scrutiny in the marketplace of ideas, those ideas which are correct and true and superior will win out over those ideas which are inferior and erroneous and false.

Our firm commitment to the principle of freedom of the press in our country flows from this commitment to freedom of speech and freedom of expression. Although, I think, all of us at one time or another have questioned the accuracy or the impartiality or the dispassion of the American news media, all of us are firmly committed to the principle that there must be a free, unfettered press. The multiplicity of free voices of expression is absolutely essential to the functioning of our democratic Government.

In our democratic system, this principle of freedom of expression is a vital component of our process of electing Government officials. Only if there is full and open airing of the ideas for and against and about individual candidates for public office can we know which women and men are best able to represent us as President, Vice President, or as a Member of the Senate or the House.

The fundamental requirement, Mr. Speaker, is that all ideas, that all speech, have reasonably fair and equal access to the market place of ideas—that good ideas and bad ideas and foolish ideas and brilliant ideas have equal access to the American people.

Unfortunately, Mr. Speaker, the greatest threat to the application of the principles of free speech in our electoral process is the distorting effect of money. Under our present laws and the current interpretation of the Constitution and our laws by our Supreme Court, if you have money, your ideas—regardless of how good or bad they may be—have unfair access to the market place of ideas. It is important that we break this link between money and speech—money does not entitle someone to special access. Money is in fact the element which distorts free speech, and by distorting free speech it distorts the full and fair and informed intelligent decisionmaking.

Mr. Speaker, this constitutional amendment does not make the ultimate decision about how campaign financing should be reformed, but it is the essential first step in establishing beyond any doubt that the Congress has the authority to regulate spending on campaigns. I urge my colleagues to join me in cosponsoring this constitutional amendment. This is the vital first step that we must take, and for the future of democracy in our country it is essential that we take it as quickly as possible.

I ask, Mr. Speaker, that the text of House Joint Resolution 171 be placed in the RECORD:

H.J. RES. 171

Proposing an amendment to the Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:*

"ARTICLE—

"Section 1. The Congress shall have the power to set limits on expenditures made by, in support of, or in opposition to the nomination or election of any person to Federal office.

"Section 2. The Congress shall have the power to set limits on contributions by individuals or entities by, in support of, or in opposition to the nomination or election of any person to Federal office.

"Section 3. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

# GUN BAN REPEAL ACT OF 1995

SPEECH OF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 22, 1996

Mr. MENENDEZ. Mr. Speaker, I rise in strong opposition to H.R. 125.

We are voting to repeal a ban on assault weapons and large capacity ammunition clips that is supported overwhelmingly by police who put their lives on the line for us. They call the weapons banned by the 1994 law cop killer guns.

In a recent study by Handgun Control, assault weapons accounted for 17.4 percent of fatal police shootings. In another study, 18.5 percent of the shootings, where the gun was identified, involved a gun with a large-capacity magazine of more than 10 rounds.

This ban has widespread support from the people who care for gunshot victims—doctors, nurses and medical personnel; religious leaders who are trying to end the violence in our communities; the teachers and administrators who are concerned about guns in our schools; responsible gunowners who want to end gun violence; and the children whose very future is put at risk.

The Bureau of Alcohol, Tobacco and Firearms data revealed that although semiautomatic assault weapons comprise less than one percent of the privately owned guns in America, they account for 8.4 percent of all firearms traced to crime from 1988 to 1991.

During 1986–1991, 20,526 assault weapons were traced to crime, and of those, 1,349 were specifically traced to murders in the United States and 4,031 were linked to drug traffickers. The congressional assault weapons ban did not take guns out of the hands of law abiding citizens who legally owned their weapons before the enactment of the assault weapons ban in 1994.

The Members who vote for the repeal of the assault weapons ban are voting for a bill that will resume manufacturing and importation of killing machines. After President Bush banned the importation of assault weapons in 1989, the number of imported assault weapons traced to crime dropped 45 percent the next year. If we vote against repealing the ban, we will be giving the assault weapons ban the time it deserves to reduce gun violence and save more lives.

I ask that my colleagues vote against this bill. We can save more lives by keeping assault weapons off our streets.

#### WOMEN'S HISTORY MONTH: CONTRIBUTIONS TO A STRONGER, MORE PROSPEROUS ECONOMY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 29, 1996*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today, as we celebrate Women's History Month, to honor the contributions of women to our economy as part of the labor force and as business owners around the country and especially in the State of New Jersey.

In some ways, the facts speak for themselves. The number of women in the paid work force has almost doubled in the last 20 years. Women in the work force grew from 36.2 million in 1974 to 60.2 million in 1994.

There are many talented women that are making enormous contributions to business and industry in the State of New Jersey. During a recent series of visits to companies located in the 11th district of New Jersey, I had the opportunity to meet and speak with many women who have risen or are climbing to the top positions and management in their respective companies.

In addition to those outstanding women in corporations, the State of New Jersey is ranked ninth in the Nation in the total number of women-owned businesses with a recent total of 164,798. I am especially encouraged because this number increased in my own State by 40 percent over a period of 5 years.

Nationally, women are starting businesses at twice the rate of men and the Small Business Administration anticipates that women will own 50 percent of all small businesses in America in the 21st century. These women-owned businesses employ more people than all Fortune 500 firms combined. Women employers are also bringing more than their economic achievements to the workplace; they influence and change the workplace for all employees by being more likely to offer flexible work arrangements, child care and health care benefits.

As women continue to make their mark in the workplace as employers and employees they face many challenges—access to child care, pay equity, educational opportunities, and access to capital and investors. Mr. Speaker, I rise today to honor these achievements. As our economy continues to change and we face new challenges as we enter the 21st century, I believe we can count on these entrepreneurs and executives to help lead the way to a stronger and more prosperous America.

#### LIVABLE WAGE ACT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 29, 1996*

Mr. VENTO. Mr. Speaker, today I am introducing legislation intended to take a major step forward toward a livable wage for working men and women in our country. Too often American workers are forced to take jobs that pay substandard wages and have few or no health benefits. At a time when U.S. corporations are making record profits and the economy is strong and stable, it seems unreasonable that working families must struggle and cannot make ends meet. It is unconscionable for corporations to sacrifice fair wages for their workers in pursuit of inflated profit margins, and it is doubly so when these businesses are performing work on behalf of the Federal Government—when the workers' taxes which pay for Federal services and products perpetuate such depressed compensation.

My legislation is straightforward, simple and just; if you are a Federal contractor or subcontractor you will be required to pay wages to your employees that exceed the official poverty line for a family of four. This would be fair and equitable compensation achieved by law. When a business works for the Federal Government and benefits from working families' taxpayer dollars, at the very least it should be required to pay its employees a livable wage.

As of March 4, 1996, the official poverty line for a family of four is \$15,600. This is obviously not an exorbitant wage. Imagine a family of four trying to live on this amount or less. It may not seem possible, but it is done everyday in this country. There is a serious problem in our society when hard-working men and women, holding down full-time jobs, cannot earn enough to bring their families out of the poverty cycle, while company executives earn an average of 70 times that of their average employee.

My bill does not attempt to alleviate this disparity throughout the business sector, but it does require those corporate entities receiving taxpayer dollars to be accountable to their workers. This is a reasonable and practical bill. It allows companies to count any benefits, such as health care, which they provide for employees as part of their wage determination, and it provides an exemption for small businesses and bona fide job training or apprenticeship programs.

I urge my colleagues to join me in supporting this legislation to help ensure the American worker receives a fair day's pay for a fair day's work.

#### REMOVE FEDERAL BARRIERS TO INNOVATIVE HIGHWAY FINANCING

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 29, 1996*

Mr. MINGE. Mr. Speaker, as an original co-sponsor of the coalition's balanced budget plan, I am committed to balancing the Federal budget as soon as possible. However, I understand that in working to balance the budget, we cannot simply cut, cut, cut and leave the

Nation to deal with the repercussions of lower Government spending. We must simultaneously make prudent policy changes to help empower the Nation during this fiscally trying time. One of those changes could be to allow the private sector of the transportation industry to use innovative financing methods to maintain our Nation's highways. Currently, there are barriers in Federal law that preclude such activity. I believe that innovative highway financing by the private sector could prove to be an important tool for preserving our transportation infrastructure. For information on this important subject, I commend to your attention the recent testimony of Robert Zauner, chairman of the Minnesota Transportation Group before the Joint Economic Committee. Mr. Zauner's testimony lays out an excellent explanation for why the private sector should be able to utilize innovative financing for maintaining our highways. I am submitting a copy of that testimony for printing in the RECORD.

#### TESTIMONY OF ROBERT ZAUNER BEFORE THE CONGRESSIONAL JOINT ECONOMIC COMMITTEE

Mister Chairman, my name is Robert Zauner. I am a registered professional engineer, vice-president of Hughes Transportation Management Systems (HTMS) and the chairman of the Minnesota Transportation Group (MTG). I have been involved in the transportation industry for twenty-five years. During the past six years I have been involved in the development of privatized toll highways. I have served as a member of the Board of Directors and as Vice President of the Highway Division of the Associated General Contractors of Minnesota. I also chaired its bridge committee. I currently serve on the Boards of Directors of the Minnesota Transportation Alliance, a transportation advocacy group, and the Intelligent Transportation Society of Minnesota, as well as the Advisory Council of the University of Minnesota's Center for Transportation Studies.

The MTG is a team of technology, construction, engineering, and financial companies that personifies the private sector's capability, desire and interest in the privatization of highway infrastructure. For the past six years we have worked with state legislators, local officials, and state departments of transportation in the development of enabling legislation, privatization programs and privatized highways. Our team members have been involved in privatization efforts in California, Washington, Arizona, Virginia, South Carolina, and Minnesota where we recently submitted proposals to develop three highway projects totaling over \$700 million.

In my testimony today I would like to share several issues I have encountered in my efforts to privatize highways. Some are institutional barriers others are perceptions or prejudices created by the present funding system that are as difficult to overcome as institutional barriers themselves. They include:

1. Reconstruction and improvements to the interstate system are exempt from tolling.
2. State and local government see little benefit to privatizing or implementing toll financing due to their perception that they are receiving no additional funding for doing so.
3. The disparity between taxable and tax exempt financing.
4. Privately financed highways are at a disadvantage when competing for investor dollars.
5. Tolling represents double taxation.
6. Unrealistic expectations for low cost roads: Roads are free; Roads are paid for; My road is the most dangerous road in the state